IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No. 304 of 1986

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PATEL SHANKERBHAI BABALDAS & 13 - Appellant(s)
Versus
DIST. DEVELOPMENT OFFICER & 1 - Defendant(s)

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Appearance :
MRS. SANGEETA N PAHWA for Appellant(s) : 1 - 14.
RULE SERVED for Defendant(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 06/12/2006

ORAL JUDGMENT

The plaintiff filed Regular Civil Suit No.442/86 challenging his transfer. The suit came to be dismissed and the appeal against the said dismissal

order was dismissed by the appellate court on 18.12.86. The appeal has been admitted for hearing on the following substantial question of law.

> "Whether the impugned order of transfer is under the provisions of the Gujarat Panchayats Act or purports to be under the Act or not?"

Learned counsel for the appellant submits that after lapse of 20 years of the order of transfer, the parties have lost interest in the matter. The appeal is accordingly dismissed. No costs.

[R.S. GARG, J.]

pirzada/-